



NCTA

NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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August 8, 2002

EX PARTE

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CS Docket No. 98-120

Dear Ms. Dortch:

On August 7, 2002, Michael Schooler, Diane Burstein and Andy Scott of the National Cable & Telecommunications Association ("NCTA") met with the following Media Bureau staff: William Johnson, Deborah Klein, Michael Lance, Ronald Parver, Ben Bartolome, Priscilla Wu and Walid Kassem.

Consistent with our comments and our Opposition to Petitions for Reconsideration in the above-captioned proceeding, NCTA argued that the Commission should adopt a narrow definition of "program-related material," and should not require carriage of a separate digital program-related stream that might occupy a separate cable channel. NCTA also discussed channel positioning rights for digital must carry broadcast signals, and explained that passing through PSIP material is not an effective way for cable systems to implement those rights. We also argued that cable operators should not be required to identify and display two-part channel numbering for must carry stations.

In addition, in order to facilitate the roll-out of digital signals, we urged the Commission to provide operators flexibility to offer digital broadcast signals in a digital tier during the transition.

Respectfully submitted

/s/ Diane B. Burstein

Diane B. Burstein

cc: William Johnson, Deputy Chief, Media Bureau
Deborah Klein, Chief of Staff, Media Bureau
Michael Lance, Deputy Chief, Engineering Division, Media Bureau
Ronald Parver, Assistant Chief, Policy Division, Media Bureau
Ben Bartolome, Attorney Advisor, Media Bureau
Priscilla Wu, Electrical Engineer, Engineering Division, Media Bureau
Walid Kassem, Electrical Engineer, Engineering Division, Media Bureau